

## **REMARKS**

Claims 1-15 are pending in the present application. Claims 1, 6, 12-14 have been amended. Claim 15 is new. The present response is an earnest effort to place the application in proper form for allowance.

The Applicant encloses a Rule 132 Affidavit which encloses evidence of a long felt need for preventing dissemination of personal information to prevent identity theft. The Examiner will note that a letter from Senator Charles E. Grassley details the importance of hiding a social security number. In addition, the Examiner will note several newspaper articles based upon identity theft and forgery charges detailing the need to keep personal information to yourself and hidden. The present invention details this long-felt need as it provides a bank check that balances the need for a merchant to verify that the writer is authorized to utilize the negotiable instrument but still protecting the personal information of the customer.

The Examiner has rejected the drawings because it includes handwritten reference numbers. The Applicant is submitting corrected drawings as replacement sheets.

The Specification has been objected to as including improper language. The Applicant has included the changes as suggested by the Examiner.

The Examiner has rejected the claims under 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. The Applicant has amended claims 1 and 7 for clarification. The Applicant respectfully requests the Examiner to withdraw these objections.

The Examiner has rejected claim 1 under 35 U.S.C. § 103 as being unpatentable over Armel in view of Martin. Neither Armel nor Martin discloses a "pre-printed bar code" upon a negotiable instrument. Specifically, Martin discloses a bar code that is placed on the check after

the check has been written by the customer and indicates the amount of the check, the date the check was written, the account number, the bank's routing number, and the payee of the check (column 5, paragraph 59). Therefore, Martin not only does not teach a pre-printed bar code but also does not teach one that has personal information included in the bar code. Accordingly the Applicant respectfully requests the Examiner to withdraw this rejection and find claim 1 allowable.

Claims 2 and 3 were rejected under 35 U.S.C. as being unpatentable over Armel as modified by Martin and further in view of Iguchi. Iguchi is nonanalogous art as it pertains to photographic image print guides. Moreover, the bar codes BC as in Figure 8 are not pre-printed but printed at the same time the images are printed onto the print guide. The Applicant requires pre-printed checks as the customer must have them available when traveling to a merchant's store. Accordingly, the Applicant respectfully requests that the Examiner withdraw the objections to claims 2 and 3 and find them allowable.

Claims 4 and 5 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Armel as modified by Martin and Iguchi and further in view of Houvener. Claims 4 and 5 are dependent claims depending from claims 1 and 3 and are believed to be allowable as depending upon allowable base claims.

Claims 6-8 and 11 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsakanikas in view of Iguchi. The Applicant has amended claim 6 to clarify that one aspect of the invention is inclusion on a bank check as illustrated in Figures 1 and 2 of the application. Iguchi is clearly referenced to a travelers check as opposed to a bank check. As such, the bar code is merely used for indicating the value of legal currency (column 17, lines 44-47). As

mentioned previously, Iguchi is nonanalogous art and is not pre-printed upon the photographic image print guide but produced at the time of printing and therefore not customizable.

Accordingly, the objections to claims 6-8 and 11 are respectfully requested to be withdrawn.

Claims 9, 10, 13 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Tsakanikas as modified by Iguchi and further in view of Houvener. Claims 13 and 14 have been amended to depend from claim 12. Claims 9 and 10 depend from a base claim believed to be allowable. Applicant respectfully submits that this rejection be withdrawn.

Claim 12 has been rejected under 35 U.S.C. § 103 as being unpatentable over Steger in view of Iguchi. Claim 12 has been amended to require a bank check with "a pre-printed bar code in an upper left corner of the bank check". The upper left corner of the bank check is important as it readily tells the merchant to recognize that the bar code is a substitute for personal information that is typically placed upon the bank check. Additionally, as previously stated, Iguchi is nonanalogous art and, moreover, does not utilize a "pre-printed bar code having personal information about a writer including a home address and telephone number". Accordingly, claim 12 is believed to be allowable. As claims 13 and 14 depend from claim 12, it is believed that these are allowable as depending upon an allowable base claim.

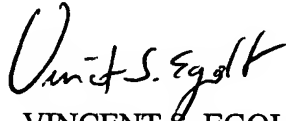
New claim 15 depends from claim 12 and is believed to be allowable as depending from an allowable base claim.

This is a request under the provision of 37 CFR § 1.136(a) to extend the period for filing a response in the above-identified application for two-months from June 12, 2004 to August 12, 2004. Applicant is a small entity; therefore, enclosed is our check in the amount of \$210.00 for

two-months extension of time. Any deficiency or overpayment should be charged or credited to Deposit Account 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Vincent S. Egolf". The signature is fluid and cursive, with the first name "Vincent" and last name "Egolf" clearly distinguishable.

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